

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

2016 CHEVROLET CAMARO SS  
CONVERTIBLE,  
VIN 1G1FH3D79G0183851,  
Defendant.

Civil No. 1:21CV00656

To: Argenis Samuel Rivera-Alicea  
Inmate ID # 377343  
Davidson County Jail  
P.O. Box 513  
Lexington, NC 27292

**PLAINTIFF UNITED STATES' FIRST SET OF DISCOVERY REQUESTS**

Plaintiff United States of America, by and through its attorney, Sandra J. Hairston, United States Attorney for the Middle District of North Carolina, pursuant to Federal Rules of Civil Procedure 26, 33, 34, and 36, and Rule G(6) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, hereby submits this First Set of Discovery Requests to Claimant Argenis Rivera-Alicea. Please take notice that you are required to respond to these discovery requests within 30 days from the date of service. Failure to serve timely, written responses may result in sanctions against you.

**INSTRUCTIONS**

1. Your responses to these requests should conform to the requirements of Federal Rules of Civil Procedure 26, 33, 34, and 36.



2. Pursuant to Federal Rule of Civil Procedure 26(b)(5), if you claim privilege or work-product protection as to any information, please provide the following: (a) the nature of the privilege asserted; and (b) a description of the nature of the Documents, communications, tangible things, or information not produced or disclosed.

3. Where a time period is stated, the dates shall be construed as inclusively as necessary to bring within the scope of a request all information that otherwise might be construed to be outside of its scope.

4. Pursuant to Federal Rule of Civil Procedure 36(a)(3), a matter requested to be admitted is admitted unless, within 30 days after being served, you serve on the United States, through undersigned counsel, a written answer or objection addressed to the matter and signed by you or your attorney.

#### **DEFINITIONS**

1. “All” shall mean “each” and vice versa.

2. “Any” shall mean “any and all.”

3. “Each” shall mean “each and every.”

4. “Date” shall mean month, day, and year.

5. “Defendant Property” means the 2016 Chevrolet Convertible SS, VIN 1G1FH3D79G0183851, that is the subject of this civil action.

6. “Describe” shall mean, with respect to any act, occurrence, transaction, event, statement, communication, or conduct (collectively “act”), all facts concerning any

such act, including without limitation a description of each act, the date, the location, and the names and addresses of all persons involved with the act.

7. “Document” is used in its broadest sense and shall include any and all writings, papers, books, accounts, drawings, records, calendars, letters, handwritten notes, diaries, electronic data, communications, emails, text messages, social media posts, correspondence, contracts, graphs, charts, photographs, electronic and videotape recordings, data, and any and all other data compilations that are within your possession, custody, or control.

8. “Financial Accounts” shall include any account through which money is borrowed on credit, deposited, or withdrawn, or in which financial assets, including, but not limited to, stocks, bonds, options, commodities, cryptocurrency are held, and shall include, but not be limited to, any savings accounts, checking accounts, credit cards, private accounts, NOW accounts, money market funds, individual retirement accounts (“IRA”s), municipal bonds, Treasury bills, loans, mortgages, stocks, bonds, commodities, stock options, trust funds, amounts or accounts held by third parties in which you have an interest, or any other financial investments, indebtedness, assets or liabilities of any type.

9. “Identify” or “identity” shall mean the following depending on the context:

a. When used in reference to a Document, it means to state the type of Document (e.g., letter, memorandum, email, text message, etc.), its author and originator, its date or dates, its present location or custodian, and a summary of its

contents. If the Document was but is not presently in your possession, custody, or control, state what disposition was made of it.

b. When used in reference to a natural person, it means to state the person's full name (including any and all aliases or former names), the person's residence and business address (provide complete mailing addresses; if a current address is unknown, give the last known address), telephone numbers, and relationship to you.

c. When used in reference to a corporation, it means to state its full name, its state of incorporation, and the address of its principal office.

d. When used in reference to a partnership, it means to state its full partnership name, the names of the general partners, and the address of its principal office.

e. When used in reference to an unincorporated association or any other business entity, it means to state its full name and the address of its principal office.

f. When used in reference to a Financial Account, it means to state the name and address of the bank, store, or other institution which issued the account, the account number, the dates of opening or closing of the account, the current balance, and all past and current credit limits.

g. When used in reference to an arrest or criminal or civil action, it means to state the date of the arrest or criminal or civil action, the charge(s), the name and address of the court in which such action was pending, your role (witness,



defendant, plaintiff), the nature of the action (e.g., armed robbery, eviction) and the outcome (e.g., guilty, not guilty, and sentence, or judgment for plaintiff).

10. “Social Media Platform” shall mean any computer-mediated technology that allows for the creating and sharing of information, ideas, career interests, and other forms of expression via virtual communities and networks, and shall include without limitation Facebook (and Facebook Messenger), Myspace, YouTube, Snapchat, WhatsApp, Tumblr, Instagram, Twitter, Pinterest, LinkedIn, Google+, Flickr, Viber, Vine, Reddit, TikTok, Kik, etc.

11. “You” means Argenis Rivera-Alicea, his spouse, any dependents residing with him, or any agent(s) acting on his behalf. If a response provides information about more than one person, please specify which information applies to which specific individual.

### **INTERROGATORIES**

1. State your current and all prior names, including aliases or nicknames, Social Security numbers, citizenship, visa or green card numbers, current operator's or professional or occupational licenses, current address(es), and all addresses for the last ten (10) years (for each provide the inclusive months and years you lived at that address) and identify any and all arrests and criminal or civil actions in which you were a witness or a party.

ANSWER:

2. Identify all evidence relevant to this litigation (including the events alleged in the complaint, and in your answer to the complaint and claim to the Defendant Property) known to you, including each and every person with knowledge of the facts (give a complete and detailed description of such relevant facts of which each such person has knowledge) and each and every Document or other form of tangible evidence containing information relevant to this litigation.

ANSWER:

3. If you contend that the Defendant Property, or any part thereof, does not constitute proceeds from drug trafficking activities or has not been used or intended to be used to facilitate such activities, or that you did not know of or consent to those activities, please set forth each and every fact upon which you base your contention, state all other information which would support such a contention, and identify each and every witness and Document which supports your contention.

ANSWER:



4. For each month since January 1, 2019, identify each and every person who had possession of, or use of, and/or access to the Defendant Property, and for each such person provide the nature and extent of his or her possession, use, and/or access, and in each and every fact surrounding such possession, use, and/or access.

ANSWER:

5. If you contend that either the seizure of the Defendant Property or the arrest of any individual associated with the investigation which led to the seizure of the Defendant Property was unlawful or in violation of any right guaranteed by the United States Constitution, please state each and every fact upon which you base your contention and identify each and every witness (by name, address and telephone number) and identify each and every Document (and the name, address and telephone number of the custodian of the Document) which supports your contention.

ANSWER:

6. State the name(s) and current address(es) and telephone number(s) of all persons having knowledge of, or information pertaining to the incident(s) alleged in the complaint in this action and your claim in this action, and provide a short summary of the information of which they have knowledge.

ANSWER:

7. Describe in full and complete detail your activities for the 72-hour period immediately preceding the search and seizure of the Defendant Property on March 8, 2021. Your description should include, but not be limited to, the following: your exact location(s) at all times during the 72-hour period; the identity of each and every person with whom you stayed or met during that period; the identity of each and every person with whom you conversed by telephone, whether verbally or by text message or other means of written communication, during that period, and the telephone numbers of the telephones used; the identity of each and every person with whom you otherwise conversed in person during that period; and, the amount of currency and controlled substances in your possession at any time during that 72-hour period.

ANSWER:

8. List all payments you have made to any lawyer with respect to legal services or for bonds (including cost bonds relating to seized property) for yourself or for any other person or which have been made by any other person to any lawyer with respect to legal services for you or any person related to you at any time since January 1, 2019, and for each such payment list the date, the attorney, the amount, the form of payment (check or coin and currency, etc.), the person making the payment, and the person intended to receive the legal services.

ANSWER:

9. Identify each and every employer for whom you have worked during the last five (5) years, specifying for each the following: the date you began and the date you left the employment, your exact title, a description of your duties, average number of hours you worked each week, the amount of gross and net compensation per week or month (if these varied, give the average, the high and low, and the ending for each during the period of employment), the identity of your immediate supervisor, and the reasons for leaving the employment.

ANSWER:



10. In addition to the income listed by you in the answer to the preceding Interrogatory, list each and every other source of payment or income received whether earned or unearned, by you or any dependent of you from any source(s) since January 1, 2019, including, but not limited to proceeds from self-employment, a business in which you have or had an interest, the sale of drugs, gifts, bequests, gambling winnings, judgments, settlements, monies in trust, insurance payments, dividends, interest income, proceeds from the sale of collectibles or other assets, loans, or lines of credit, unemployment or disability benefits, social security, welfare or other form of public assistance, whether or not based on an assessment of income, assets, and/or need; and, for each source of payment or income, identify each and every person or organization from whom the income was received, and provide the date(s), amount(s), and recipient of each amount of payment or income received, and the reason such amount was paid.

ANSWER:

11. List each and every telephone number, including area codes, listed to, paid for, or used by you or a business in which you have or had an interest for the past five (5) years.

ANSWER:

12. Identify each and every Financial Account held or used by you or any business or other entity owned or controlled by either you or any dependent of you since January 1, 2019.

ANSWER:

13. Identify, and describe by type of property, each and every item of real, personal (including conveyances such as cars, trucks, or boats), or intangible property owned, in whole or in part, by you at any time since January 1, 2019. For each, list its location; the date you acquired it and its purchase price or value on that date; and, if since disposed of, the date of disposition and the value of any consideration received as a result of such disposition (whether by sale, barter, loss and insurance payment, or otherwise). In this question, property refers to any item (or set of items) which has or had a fair market value greater than \$1,000.00 at any time during your possession or ownership.

ANSWER:

14. Itemize the amounts you spent on a monthly basis since January 1, 2019, for the following: food, clothing, shelter, utilities, entertainment, insurance, attorney fees, medical and dental services, furniture, jewelry, vacations, travel, transportation, gifts, education, business, alimony, child support, improvements or fixtures to any real or personal property owned by you, and all other expenditures of any type.

ANSWER:

15. List and describe all occasions since January 1, 2019, in which you have had a total of more than \$5,000.00 in coin and/or currency in your possession, custody, or control, whether on your person, at your house, in a safety deposit box, hidden or stored at any location, and, for each such occasion, state the date, the amount of the coin and/or currency, the source of the coin and/or currency, the exact place where I was, the length of time it was there, why it was there rather than in a bank, what was done with it, and what records may exist regarding your receipt, possession, custody, control, retention, and disposition of it.

ANSWER:



16. Have you, or anyone acting as your agent, employee, or someone otherwise under your direction or working in concert with you, ever grown, planted, processed, dried, packaged, stored, concealed, made, bought, sold, offered to buy or sell, transported, used, tested, demonstrated, sold, or offered for sale marijuana, cocaine, heroin, methamphetamine, or any other controlled substance? If so, state the dates, names of each and every person involved, and complete circumstances of each and every such action, including the location(s) of each and every such action and what moneys (and amounts thereof) and other intangibles, equipment, and other real or personal property were used in or acquired through each and every such action.

ANSWER:

17. Identify each and every Social Media Platform used by you in the last five (5) years.

ANSWER:

### **REQUESTS FOR PRODUCTION**

1. Documents evidencing your date and place of birth, citizenship, social security number, passport number; and, if you were not born in the United States, the date of your entry into the United States and your alien registration or permanent resident card number.

RESPONSE:

2. A copy of each and every Document or other form of written or physical evidence containing information relevant to this litigation (including the events alleged in the complaint and in your answer to the complaint and claim to the Defendant Property) in the possession, custody, or control of you or anyone representing or acting for you.

RESPONSE:

3. Each and every Document, photograph, and other tangible thing that would support a contention that the Defendant Property was not used or intended to be used in the violation or the facilitation of the violation of the drug laws or was not the proceeds of such violations or that such violation(s) occurred without your knowledge or consent, including without limitation all accounting and business records of the purported source of the Defendant Property.

RESPONSE:

4. Each and every Document that you intend to offer at trial in support of your claimed ownership or interest in the Defendant Property.

RESPONSE:



5. Any and all Documents that tend to establish your ownership of or interest in the Defendant Property.

RESPONSE:

6. Each and every Document, photograph, and other tangible thing that would support a contention that seizure of the Defendant Property or the arrest of any individual associated with the investigation which led to the seizure of the Defendant Property was unlawful or in violation of any right guaranteed by the United States Constitution.

RESPONSE:

7. Each and every federal, state, local, and foreign tax return, including attachments, and W-2 forms and 1099 forms for you for each year from 2016 to present, and for each and every business (not registered with the United States Securities and Exchange Commission) in which you have or had an interest during the last five (5) years, for tax years 2016, 2017, 2018, 2019, and 2020.

RESPONSE:

8. Executed copies of the attached Internal Revenue Service Form 8821, Request for Copy of Tax Form authorizing the Internal Revenue Service to release copies of tax returns and tax return information (attached hereto). Include the address used on your most recently filed federal income tax return.

RESPONSE:

9. Each and every wage earning statement for you from each and every employer of you for the last five (5) years.

RESPONSE:

10. Check book registers, cancelled checks, and checking account statements dated or referring to transactions occurring since on or after January 1, 2019, from each and every account of you, and/or any business in which you have or have had an interest.

RESPONSE:



11. Statements, passbooks, bills, or other financial statements of account for your loans, mortgages, debts, and Financial Accounts since January 1, 2019.

RESPONSE:

12. Each and every Document relating to each and every credit card account in your name (or on which you made charges) including applications to and correspondence from each institution which issued such a card and monthly statements, balances, and transactions where the Document is dated, or refers to a transaction occurring, since January 1, 2019.

RESPONSE:

13. For every Social Media Platform you identified in response to Interrogatory 12, provide copies of each and every post from the last five (5) years in which you discuss your employment situation or prospects, income, assets, property, travel to any place outside your then current place of residence, illegal controlled substances (e.g., marijuana, cocaine, heroin), firearms, and/or illegal activity of any kind.

RESPONSE:

14. Every photograph (along with your description of it and any comments to it) you posted to each and every Social Media Platform you identified in response to Interrogatory 12 within the last five (5) years.

RESPONSE:

15. The executed and notarized Authorization to Release Financial Records and Documents (attached hereto).

RESPONSE:

16. The executed and notarized Authorization to Release Financial Records and Documents (attached hereto).

RESPONSE:

17. The executed and notarized Authorization to Release Employment Information and Reports (attached hereto).

RESPONSE:

18. The executed and notarized Authorization to Release Public Benefit Records  
(attached hereto).

RESPONSE:



### **REQUEST FOR ADMISSION**

1. Admit that the Defendant Property was used, or was intended to be used, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance or other property described in 21 U.S.C. § 881(a)(1), (2), or (9), or which constitutes proceeds traceable to the exchange of a controlled substance or listed chemical in violation of the Controlled Substances Act, 21 U.S.C. §§ 801 et seq.

ANSWER:

This the 17<sup>th</sup> day of December 2021.

Respectfully submitted,

SANDRA J. HAIRSTON  
UNITED STATES ATTORNEY



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Nathan L. Strup, Mo. Bar No. 60287  
Assistant United States Attorney  
Middle District of North Carolina  
101 S. Edgeworth Street, 4th Floor  
Greensboro, NC 27401  
(336)333-5351/nathan.strup@usdoj.gov

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is an employee in the office of the United States Attorney for the Middle District of North Carolina, and is a person of such age and discretion as to be competent to serve papers.

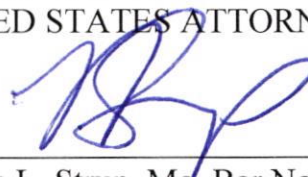
That on December 17, 2021 he served a copy of the attached Plaintiff United States' First Set of Discovery Requests by placing said copy in a postpaid envelope at the address stated below, and by depositing said envelope and contents in the United States mail at Greensboro, North Carolina.

Addressee:

Argenis Samuel Rivera-Alicea  
Inmate ID # 377343  
Davidson County Jail  
P.O. Box 513  
Lexington, NC 27292

Respectfully submitted,

SANDRA J. HAIRSTON  
UNITED STATES ATTORNEY



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Nathan L. Strup, Mo. Bar No. 60287  
Assistant United States Attorney  
Middle District of North Carolina  
101 S. Edgeworth Street, 4th Floor  
Greensboro, NC 27401  
(336)333-5351/nathan.strup@usdoj.gov

**AUTHORIZATION TO RELEASE CREDIT REPORTS, TAX RETURNS,  
FINANCIAL RECORDS, AND/OR OTHER DOCUMENTS**

TO WHOM IT MAY CONCERN:

I, Argenis Samuel Rivera-Alicea, authorize \_\_\_\_\_, and/or any other government, governmental agency, political subdivision, corporation, company, or individual in possession of records referencing or relating to me, to release copies of such records to a representative of the United States Attorney's Office for the Middle District of North Carolina, or its designee, upon the receipt of this authorization OR a photostatic copy thereof. Such records may include, but are not limited to, the following:

Credit reports, tax returns and associated return documents, bank records, or other financial records referencing or relating to of any account, including but not limited to, bank statements, cancelled checks, deposit and withdrawal slips, records of savings accounts and charge accounts, safe deposit box rent receipts, records of entry to safety deposit boxes, credit applications, credit reports and other such information as may be included in said records and files.

Such records may also include, but are not limited to those which the United States may hereafter designate or describe:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
SSN/Date of Birth

\_\_\_\_\_  
Address (Street/Post Office Box)

\_\_\_\_\_  
City, State, Zip Code

State of \_\_\_\_\_  
City/County of \_\_\_\_\_

Sworn to and subscribed before me  
this the \_\_\_\_ day of \_\_\_\_\_, 202\_.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires:  
\_\_\_\_\_

**AUTHORIZATION TO RELEASE**  
**EMPLOYMENT INFORMATION AND REPORTS**

TO WHOM IT MAY CONCERN:

I, Argenis Samuel Rivera-Alicea, hereby agree and consent that all employment records and files within your custody or control pertaining to me, including but not limited to, applications, files, pay statements, personnel ratings and records, dates of employment and leave, and all other information as may be included in said records and files, be released by you to a representative of the United States Attorney's Office for the Middle District of North Carolina upon the receipt of this authorization or a copy hereof.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Address (Street/P.O. Box)

\_\_\_\_\_  
(City, State, Zip Code)

State of \_\_\_\_\_  
City/County of \_\_\_\_\_

Sworn to and subscribed before me  
this the \_\_\_\_ day of \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_

**AUTHORIZATION TO RELEASE**  
**PUBLIC BENEFIT RECORDS AND INFORMATION**

TO WHOM IT MAY CONCERN:

I, Argenis Samuel Rivera-Alicea, hereby agree and consent that all public benefit records and information records files within your custody or control pertaining to me, including but not limited to, applications, files, pay statements, personnel ratings and records, dates of employment and leave, and all other information as may be included in said records and files, be released by you to a representative of the United States Attorney's Office for the Middle District of North Carolina upon the receipt of this authorization or a copy hereof.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Address (Street/P.O. Box)

\_\_\_\_\_  
(City, State, Zip Code)

State of \_\_\_\_\_  
City/County of \_\_\_\_\_

Sworn to and subscribed before me  
this the \_\_\_\_ day of \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_



## Tax Information Authorization

- Go to [www.irs.gov/Form8821](http://www.irs.gov/Form8821) for instructions and the latest information.  
► Don't sign this form unless all applicable lines have been completed.  
► Don't use Form 8821 to request copies of your tax returns or to authorize someone to represent you. See instructions.

OMB No. 1545-1165
For IRS Use Only
Received by:
Name _____
Telephone _____
Function _____
Date _____

**1 Taxpayer information.** Taxpayer must sign and date this form on line 6.

Taxpayer name and address  Argenis Samuel Rivera-Alicea	Taxpayer identification number(s)  Daytime telephone number Plan number (if applicable)
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**2 Designee(s).** If you wish to name more than two designees, attach a list to this form. **Check here if a list of additional designees is attached** ☐

Name and address  Nathan L. Strup, Assistant U.S. Attorney 101 S. Edgeworth Street, 4th Floor, Greensboro, NC 27401	CAF No. _____ PTIN _____ Telephone No. (336) 333-5351 Fax No. (336) 333-5257
Check if to be sent copies of notices and communications <input type="checkbox"/>	Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/>
Name and address	CAF No. _____ PTIN _____ Telephone No. _____ Fax No. _____
Check if to be sent copies of notices and communications <input type="checkbox"/>	Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/>

**3 Tax information.** Each designee is authorized to inspect and/or receive confidential tax information for the type of tax, forms, periods, and specific matters you list below. See the line 3 instructions.

☐ By checking here, I authorize access to my IRS records via an Intermediate Service Provider.

(a) Type of Tax Information (Income, Employment, Payroll, Excise, Estate, Gift, Civil Penalty, Sec. 4980H Payments, etc.)	(b) Tax Form Number (1040, 941, 720, etc.)	(c) Year(s) or Period(s)	(d) Specific Tax Matters
Income	1040	2016, 2017, 2018, 2019, 2020	

**4 Specific use not recorded on the Centralized Authorization File (CAF).** If the tax information authorization is for a specific use not recorded on CAF, check this box. See the instructions. If you check this box, skip line 5 . . . . . ☐

**5 Retention/revocation of prior tax information authorizations.** If the line 4 box is checked, skip this line. If the line 4 box isn't checked, the IRS will automatically revoke all prior tax information authorizations on file unless you check the line 5 box and **attach a copy** of the tax information authorization(s) that you want to retain . . . . . ☐  
To revoke a prior tax information authorization(s) without submitting a new authorization, see the line 5 instructions.

**6 Taxpayer signature.** If signed by a corporate officer, partner, guardian, partnership representative (or designated individual, if applicable), executor, receiver, administrator, trustee, or individual other than the taxpayer, I certify that I have the legal authority to execute this form with respect to the tax matters and tax periods shown on line 3 above.

► IF NOT COMPLETED, SIGNED, AND DATED, THIS TAX INFORMATION AUTHORIZATION WILL BE RETURNED.

► DON'T SIGN THIS FORM IF IT IS BLANK OR INCOMPLETE.

Signature

Date

Argenis Samuel Rivera-Alicea

Print Name

Title (if applicable)